



CITY OF DULUTH

Planning Division

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STAFF REPORT

File Number	PL 13-067		Contact	Jenn Reed Moses, jmoses@duluthmn.gov	
Application Type	UDC Map Amendment		Planning Commission Date	May 14, 2013	
Deadline for Action	Application Date	N/A	60 Days	N/A	
	Date Extension Letter Mailed	N/A	120 Days	N/A	
Location of Subject	Bluestone Commons				
Applicant	City of Duluth		Contact	Jenn Reed Moses, jmoses@duluthmn.gov	
Agent			Contact		
Legal Description	N/A				
Site Visit Date	April 30, 2013		Sign Notice Date	April 30, 2013	
Neighbor Letter Date	April 24, 2013		Number of Letters Sent	77	

Proposal

The City of Duluth proposes to rezone Bluestone Commons from Residential-Planned (R-P) to Mixed Use-Planned (MU-P).

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-P	School, mixed use development	Neighborhood Mixed Use, Preservation
North	R-2, MU-N	Clinic, multi-family	Urban Residential
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-2	College	Institutional

Summary of Code Requirements (reference section with a brief description):

UDC Sec. 50-37.3.A: Any property owner may petition the planning commission to amend the district boundaries in which the property is located.

UDC Sec. 50-37.3.B: Planning commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.

UDC Sec. 50-37.3.C: The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that the application:

1. Is consistent with the Comprehensive Land Use Plan;
2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use;
3. Is required by public necessity, convenience, or general welfare, or good zoning practice;
4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.

D-1

Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):

Future Land Use - Neighborhood Mixed Use: A transitional use between more intensive commercial uses and purely residential neighborhoods.

Future Land Use - Preservation: Lands with substantial restrictions. High natural resource or scenic value, or severe development limitations.

Principle #1 - Reuse previously developed lands

Principle #8 - Encourage mix of activities, uses and densities

History: Site was previously zoned R-1 and R-2, which allowed a school use. In April 2012 the property was zoned to Residential-Planned (R-P), and on May 24, 2012, a Regulating Plan for the site was adopted.

Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

Staff finds that:

- 1) Property is currently zoned R-P and has an approved regulating plan.
- 2) In December 2012, the City adopted a new zone district, MU-P. At the same time, the R-P district was amended to focus on single-family and conservation developments.
- 3) The purpose and intent of the MU-P district better supports the approved regulating plan and current development.
- 4) The MU-P district is consistent with the Future Land Use designation in the Comprehensive Land Use Plan.
- 5) The approved regulating plan will remain in place with a new zoning designation.
- 6) Rezoning to MU-P requires a Concept Plan for City Council approval. The attached Concept Map, Rezoning Map, and list of building heights and setbacks comprise the Concept Plan, which can only be amended with City Council approval. (Regulating plan is approved by the Land Use Supervisor and can also be amended by the Land Use Supervisor.)
- 7) No public, City, or agency comments were received.

Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):

Based on the above findings, Staff recommends that Planning Commission recommend approval of the UDC Map Amendment, for the following reasons:

- 1) This proposal is consistent with the Comprehensive Land Use Plan.
- 2) The development currently underway is reasonably related to the proposed MU-P zone district.
- 3) The proposed MU-P zone district is consistent with the future land use category "Neighborhood Mixed Use."
- 4) Material adverse impacts on nearby properties are not anticipated.

D-2

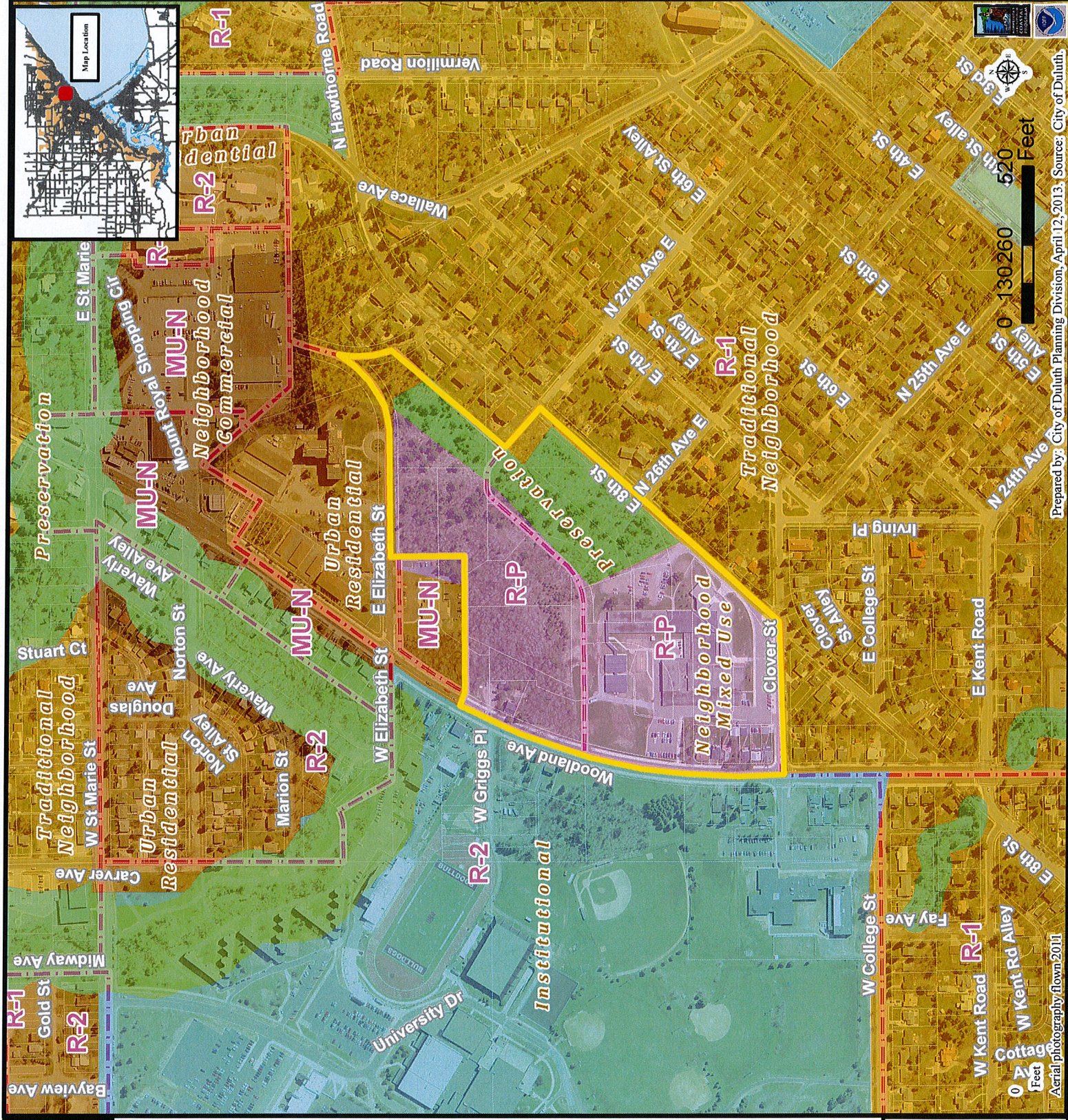
Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)



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Legend

- Zoning (Final)
- Future Land Use
- Preservation
 - Recreation
 - Rural Residential
 - Low-density Neighborhood
 - Traditional Neighborhood
 - Urban Residential
 - Neighborhood Commercial
 - Neighborhood Mixed Use
 - General Mixed Use
 - Central Business Secondary
 - Central Business Primary
 - Auto Oriented Commercial
 - Large-scale Commercial
 - Business Park
 - Tourism/Entertainment District
 - Medical District
 - Institutional
 - Commercial Waterfront
 - Industrial Waterfront
 - Light Industrial
 - General Industrial
 - Transportation and Utilities



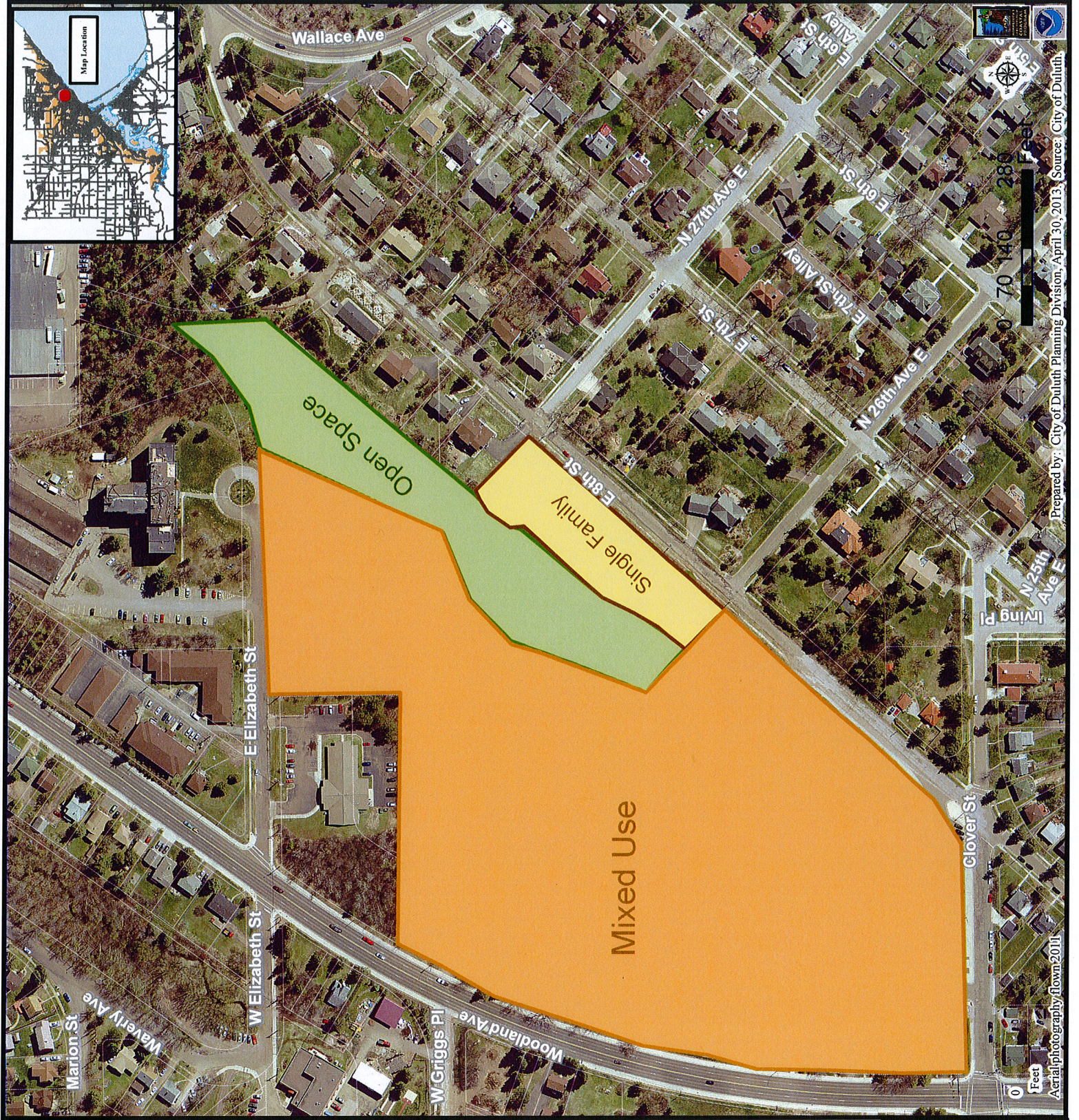
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

D-3



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Concept Map



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13-4

Prepared For: VILLAGE CENTER DEVELOPMENT, LLC & BLUESTONE COMMONS, LLC
part of
MOTOR LINE DIVISION, MOUNT ROYAL DIVISION, CLOVER HILL DIVISION AND WILLARD'S DIVISION
Section 14, T50N, R14W of the 4th P.M.
City of Duluth, St. Louis County, Minnesota

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5-0

REGULATING PLAN

50-14.7(G)(2)

UDC Section 50-14.7(G)(2) states that the applicant shall include the following information in the regulating plan:

“Lot sizes, widths, and building setbacks for all proposed development parcels.”

Tract

A.

1. Height: 75 Feet
2. Lot Size: 2.25 acres/ 97,804 sqft.
3. Width along Elizabeth Street: 429.8 Feet
4. Building Setback:
 - i. Front Yard: Elizabeth (N) 20 Feet
 - ii. Side Yard: (W) 20 Feet
 - iii. Side Yard: (E) 0 Feet
 - iv. Rear Yard: (S) 0 Feet

B.

1. Height: 75 Feet
2. Lot Size: .72 Acres/ 31,505 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
 - i. Front Yard: (SE) 20 Feet
 - ii. Side Yard: (NE) 0 Feet
 - iii. Side Yard: (SW) 0 Feet
 - iv. Rear Yard: (NW) 0 Feet

C.

1. Height: 75 Feet
2. Lot Size: 1.70 Acres/ 73,919 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
 - i. Front Yard: (S) 20 Feet
 - ii. Side Yard: (W) 0 Feet
 - iii. Side Yard: (E) 0 Feet
 - iv. Rear Yard: (N) 20 Feet

D.

1. Height: 75 Feet
2. Lot Size: 1.51 Acres/ 65,830 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
 - i. Front Yard: (S) 20 Feet
 - ii. Side Yard: (W) 0 Feet
 - iii. Side Yard: (E) 0 Feet
 - iv. Rear Yard: (N) 0 Feet

E.

1. Height: 75 Feet
2. Lot Size: .88 Acres/ 38,170 sqft.
3. Width along Woodland Avenue: 178.5 Feet
4. Building Setback:
 - i. Front Yard: (Woodland Ave. – W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

F.

1. Height: 75 Feet
2. Lot Size: .72 Acres/ 31,256 sqft.
3. Width along Woodland Avenue: 215.6 Feet
4. Building Setback:
 - i. Front Yard: (Woodland Ave.- W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

G.

1. Height: 75 Feet
2. Lot Size: .52 Acres/ 22,831 sqft.
3. Width along Woodland Avenue: 134.7 Feet
4. Building Setback:
 - i. Front Yard: (Woodland Ave.- W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

H.

1. Height: 75 Feet
2. Lot Size: .55 Acres/ 24,174 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
 - i. Front Yard: (N) 0 Feet
 - ii. Side Yard: (W) 0 Feet
 - iii. Side Yard: (E) 0 Feet
 - iv. Rear Yard: (S) 0 Feet

I.

1. Height: 75 Feet
2. Lot Size: .53 Acres/ 22,931 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
 - i. Front Yard: (N) 0 Feet
 - ii. Side Yard: (W) 0 Feet
 - iii. Side Yard: (E) 0 Feet
 - iv. Rear Yard: (S) 0 Feet

J.

1. Height: 75 Feet
2. Lot Size: .77 Acres/ 33,377 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
 - i. Front Yard: (W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

K.

1. Height: 75 Feet
2. Lot Size: .56 Acres/ 24,361 sqft.
3. Width along Woodland Avenue: 149.1 Feet
4. Building Setback:
 - i. Front Yard: (Woodland-W) 0 Feet
 - ii. Side Yard: (S) 0 Feet
 - iii. Side Yard (N) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

L.

1. Height: 75 Feet
2. Lot Size: .30 Acres/ 13,249 sqft.
3. Width along Woodland Avenue: 81.6 Feet
4. Building Setback:
 - i. Front Yard: (Woodland-W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

M.

1. Height: 75 Feet
2. Lot Size: .33 Acres/ 14,311 sqft.
3. Width along Woodland Avenue: 83 Feet
4. Building Setback:
 - i. Front Yard: (Woodland-W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

N.

1. Height: 75 Feet
2. Lot Size: .64 Acres/ 27,944 sqft.
3. Width along Woodland Avenue: 154.6 Feet
4. Building Setback:
 - i. Front Yard: (Woodland-W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

O.

1. Height: 75 Feet
2. Lot Size: .32 Acres/ 13,856 sqft.
3. Width: (Woodland) 77 Feet / (Clover) 182.3 Feet
4. Building Setback:
 - i. Front Yard: (Woodland-W) 0 Feet
 - ii. Side Yard: (N) 0 Feet
 - iii. Side Yard: (S) 0 Feet
 - iv. Rear Yard: (E) 0 Feet

P.

1. Height: 75 Feet
2. Lot Size: 1.49 Acres/ 64,717 sqft.
3. Width along Clover Street: 157.6 Feet
4. Building Setback:
 - i. Front Yard: (Clover-S) 20 Feet
 - ii. Side Yard: (W) 0 Feet
 - iii. Side Yard: (E) 0 Feet
 - iv. Rear Yard: (N) 0 Feet

Q.

1. Height: 75 Feet
2. Lot Size: 2.40 Acres/ 104,420 sqft.
3. Width: (Clover) 114 Feet / (E. 8th Street) 298.8 Feet
4. Building Setback:
 - i. Front Yard: (Clover) 20 Feet/ (E 8th Street) 20 Feet
 - ii. Side Yard: (W) 0 Feet
 - iii. Side Yard: (E) 0 Feet
 - iv. Rear Yard: (N) 0 Feet

R.

1. Height: 75 Feet
2. Lot Size: 1.69 Acres/ 73,786 sqft.
3. Width along Clover Street: 304.8 Feet
4. Building Setback:
 - i. Front Yard: (SE) 20 Feet
 - ii. Side Yard: (SW) 0 Feet
 - iii. Side Yard: (NE) 0 Feet
 - iv. Rear Yard: (NW) 0 Feet

S. (Tree Preservation Area)

1. Height: 0 Feet
2. Lot Size: 2.99 Acres/ 130,050 sqft.
3. Width: (None- Interior Tract)
4. Building Setback:
 - i. Front Yard: None
 - ii. Side Yard: None
 - iii. Side Yard: None
 - iv. Rear Yard: None

T.

1. Height: 35 Feet
2. Lot Size: .28 Acres/ 12,109 sqft.
3. Width along East 8th Street: 116.7 Feet
4. Building Setback:
 - i. Front Yard: (SE) 20 Feet
 - ii. Side Yard: (NE) 10 Feet
 - iii. Side Yard: (SW) 10 Feet
 - iv. Rear Yard: (NW) 20 Feet

U.

1. Height: 35 Feet
2. Lot Size: .33 Acres/ 14,304 sqft.
3. Width along East 8th Street: 116.5 Feet
4. Building Setback:
 - i. Front Yard: (SE) 20 Feet
 - ii. Side Yard: (NE) 10 Feet
 - iii. Side Yard: (SW) 10 Feet
 - iv. Rear Yard: (NW) 20 Feet

V.

1. Height: 35 Feet
2. Lot Size: .34 Acres/ 14,999 sqft.
3. Width along East 8th Street: 116.6 Feet
4. Building Setback:
 - i. Front Yard: (SE) 20 Feet
 - ii. Side Yard: (NE) 10 Feet
 - iii. Side Yard: (SW) 10 Feet
 - iv. Rear Yard: (NW) 20 Feet

W.

1. Height: 35 Feet
2. Lot Size: .40 Acres/ 17,500 sqft.
3. Width along East 8th Street: 116.5 Feet
4. Building Setback:
 - i. Front Yard: (SE) 20 Feet
 - ii. Side Yard: (NE) 10 Feet
 - iii. Side Yard: (SW) 10 Feet
 - iv. Rear Yard: (NW) 20 Feet